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OCT 19 2005

**RESPONSE AFTER FINAL REJECTION  
EXPEDITED EXAMINING PROCEDURE- GROUP 1600/ART UNIT 1618****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS : HEINER MAX ET AL.  
SERIAL NO. : 10/021,627  
FILED : December 12, 2001  
FOR : USE OF FOLIC ACID AND/OR DERIVATIVES THEREOF  
FOR THE PREPARATION OF COSMETIC OR  
DERMATOLOGICAL PREPARATIONS FOR THE  
PROPHYLAXIS OF DAMAGE TO DNA INTRINSIC TO THE  
SKIN AND/OR FOR THE REPAIR OF EXISTING DAMAGE  
TO DNA INTRINSIC TO THE SKIN  
ART UNIT : 1618  
EXAMINER : V. Kim

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October 19, 2005

**BOX AF**  
Hon. Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL**

SIR:

Applicants hereby appeal to the Board of Appeals and Patent Interferences from the decision dated April 19, 2005, of the Primary Examiner finally rejecting claims 19-32.

Applicant is other than a small entity.

HEINER MAX ET AL.  
USSN 10/021,627  
REPLY TO OFFICE ACTION DATED APRIL 19, 2005  
NOTICE OF APPEAL OF OCTOBER 19, 2005

Please charge the appeal fee to Deposit Account No. 14-1263 and please charge the same account for any additional fee required and please credit the same account for any excess fee paid.

Early and favorable action is earnestly solicited.

Respectfully submitted,

NORRIS MCLAUGHLIN & MARCUS, P.A.

By 

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